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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR-08-0216 CW
Plaintiff,)	
v.)	GOVERNMENT'S SENTENCING
)	MEMORANDUM
CARLOS GARCIA-MORALES,)	Sentencing Date: August 6, 2008, 2:00
Defendant.)	p.m., The Honorable Claudia Wilken

Consistent with paragraph 8 of the parties' Rule 11(c)(1)(C) plea agreement,¹ the United States recommends a sentence of a term of imprisonment of 37 months' imprisonment; three years of supervised release (with conditions to be fixed by the Court, including a condition that the defendant not reenter the United States illegally); no fine; and \$100 special assessment.

¹Although the agreement states that parties believed that the defendant's criminal history was Category III, the parties, in fact, believed that the defendant's criminal history was Category IV; the agreed-upon sentence of 37 months' imprisonment was the bottom of the applicable Guidelines range.

1 DATED: July 31, 2008

Respectfully submitted,

2 JOSEPH P. RUSSONIELLO
3 United States Attorney

4 /s/
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6 CHRISTINE Y. WONG
7 Assistant United States Attorney
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